IN THE HIGH COURT OF JUDICAUTRE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

L.A.R. No. 2 of 1991

The Spl. Land Acqn. Officer,

Versus

Mr. Nusli N. Wadia & Ors. ... Claimant

WITH

L.A.R. NO. 17 OF 1989

The Spl. Land Acqn. Officer

Versus

Mrs. Pushpa Dwarkadas Ruparelia
and anr. ... Claimant

WITH

L.A.R. NO. 1 OF 2003

The Spl. Land Acqn.Officer

Versus

Dwarkadas J. Ruparelia & anr.... Claimant

Mr. C.M. Korde i/by Crawford Bayley & Co. for claimants in L.A.R. No. 2/91 and 1/03 and for Claimant Nko. 2 in L.A.R. No. 17/89.

Mr. Milind Jadhav for claimants in L.A.R. No. **17/89.**

CORAM : A.M. KHANWILKAR,J.
DATED : JUNE 08, 2005

P.C.

. It is the case of the claimants that they had made an application for reference expressly mentioning four different survey numbers in respect of which they claim ownership. Whereas the reference presented before this court by the SLAO

refers to only one survey number. In other words, three survey numbers as claimed by the applicants are omitted in the reference presented before this court. SLAO to examine this position and take remedial steps before the next date of hearing which is 22.6.2005.

. According to claimants, the Competent Authority has still not fully complied with the direction given by this court (Justice Baam) dated 8.4.2002. Mr. Rajguru for the SLAO has filed affidavit of Shri. Ramchandra Krishnaji Gotankar sworn on 7.3.2003. According to Mr. Rajguru the documents furnished along with this affidavit is in compliance with the order dated 8.2.2002. Without going into various aspects raised by the counsel for the Plaintiff, in my opinion, it is appropriate that some responsible officer is deputed by SLAO or SLAO himself remains present in the court along with the relevant records in connection with the final joint measurement received by the SLAO Highways on 1.9.1986. He is expected to remain present in court along with complete record in that behalf.S.O. to 6.7.2005 under caption direction.

. According to counsel for the claimant, there is obvious error in reference as presented before this

court. The schedule to reference refers to the land admeasuring 73,247.2 sq. mtrs. situated on the Eastern side of the Western Railway in Malad and Kandivali. The stand of the claimants is that that they were claiming ownership rights in respect of the additional area of land admeasuring 36,301.3 sq. mtrs. in Malad and reference application as filed by the claimants application refers to the said position. However, the schedule as filed along with reference presented before this court by S.L.A.O. has not adverted to the said position. Even this aspect be considered by the SLAO so that appropriate steps can be taken to make necessary amendment in reference pending before this court as may be required.

. SLAO to also ensure that direction given in order dated 13.9.2002 in Land Acquisition Reference No. 2 of 1991 is complied with before the next date of hearing.

. S.O. 6.7.2005.

(A.M. KHANWILKAR.J.)